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Administrator

Regan Names Appoints Diverse Air Quality Panel.

E&E News PM (6/17, Reilly) reports, "EPA Administrator Michael Regan today announced a historically diverse slate of appointments to a powerful air quality advisory committee that includes two members whom he had previously fired."

Ethanol Proponents Write To Regan.

Bloomberg BNA (6/17, Dlouhy, Chipman) reports, "Seven groups representing farmers, biodiesel manufacturers and ethanol producers implored Biden administration officials to maintain strong biofuel-blending mandates they called critical to 'protecting middle-class jobs and expanding low-carbon U.S. manufacturing.' Oil refiners that have lobbied for reductions are using the Renewable Fuel Standard 'as a scapegoat for unrelated executive actions to appease dissatisfied investors,' the National Farmers Union, Renewable Fuels Association, National Biodiesel Board and other groups say in letter to EPA Administrator Michael Regan and National Economic Council Director Brian Deese."

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Air

EPA Still Deciding How To Redo Ozone NAAQS.

Inside EPA (6/17) reports, "EPA is facing competing calls from stakeholders over whether it should follow the expedited approach the agency is using to redo the Trump EPA's particulate matter (PM) limits should it decide to reconsider the prior administration's decision to leave Obama-era ozone standards unchanged. Acting EPA air chief Joe Goffman told the Air and Waste Management Association's annual conference June 14 that the agency still has not decided how it will address the Trump-era ozone national ambient air quality standards (NAAQS)."

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Brownfields/Superfund/Other Cleanups + Redevelopment

EPA Holds Meeting On Elizabeth Mine Superfund Cleanup.

The AP (6/17) reports the EPA will held "an online public meeting Thursday about the cleanup" of the Elizabeth Mine Superfund site in Strafford, VT. "Copper concentrations in the surface water of the Copperas Brook have dropped by more than 90%" due to cleanup efforts that began in 2001. The mine closed in 1958.

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Climate Change

Arizona Legislature Advances \$100M Wildfire Fund.

Greenwire (6/17) reports, "The Arizona Legislature advanced bills yesterday creating a \$100 million fund to respond to a wildfire emergency after hearing dire warnings from state officials and praise from worried leaders of rural counties and cities amid a brewing fight on the role of climate change in driving blazes and drought."

Online Climate Talks End With No Breakthroughs.

The AP (6/17, Jordans) reports "no breakthroughs have been made on key issues during three weeks of international climate talks that ended Thursday, officials said, with plans now for a select group of ministers to come together next month in the hope of making progress ahead of a U.N. summit in November." No official decisions were expected at the "expert-level May 31-June 17 climate meeting that took place online," but participants "tried to tackle thorny topics including aid for poor countries and rules for international carbon markets – an issue that has firmly divided nations for years." The meeting was "seen as a test of the new cooperative spirit following President Joe Biden's decision to return the United States to the Paris climate accord."

Biden Faces Setbacks In Effort To Curb Greenhouse Gas Emissions.

The *Houston Chronicle* (6/17, Osborne) reports “a series of early setbacks in both court and Congress is providing a reality check” for the Biden Administration as it looks to halve U.S. greenhouse gas emissions over the next nine years. President Biden “is quickly finding out that achieving such a sharp drop in emissions over such a short period will be inordinately difficult in the current political climate.” For example, “the decision by a Louisiana federal judge Wednesday requiring the Department of Interior to end its pause on oil and gas leasing came as the administration’s plan to spend hundreds of billions of dollars on electric vehicle charging stations and tax credits was looking unlikely to make it into any bipartisan infrastructure package that might materialize.” With few Republican supporters on climate, “Biden has been forced to rely on his presidential powers to make changes, namely the authority granted him under existing environmental and financial laws to tighten regulations.”

DOE Says EVs Have Lower Maintenance Costs Than Internal Combustion Engine-Powered Cars.

Axios (6/17, Muller) reports the DOE’s Office of Energy Efficiency and Renewable Energy says maintenance costs for battery-powered electric vehicles are 6.1 cents per mile compared to the 10.1 cents per mile in maintenance costs incurred by internal combustion engine-powered vehicles. That’s because “an EV doesn’t have things like spark plugs, an oil filter or a timing belt – and all the maintenance costs associated with them.”

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Energy Issues

Senators Want EPA To Grant RFS Electricity Credit.

Inside EPA (6/17) reports, “As EPA prepares to issue new blending requirements under the renewable fuel standard (RFS), a group of six senators is urging the agency to grant credits for electricity generated from a variety of renewable and alternative sources such as biogas and forest biomass, as pressure mounts to expand the feedstocks eligible for credit under the program.”

Two Coal-Fired Power Plants Closing In Illinois.

The *Chicago Tribune* (6/18, Hawthorne) reports Houston-based NRG Energy is closing coal-fired power plants in Romeoville and Waukegan, IL by June 2022. The announcement of the closure was unexpected. The EPA sued Midwest Generation, the previous owner of the plants, in 2009. They were upgraded with improved pollution control by NRG Energy.

Report: US Solar Capacity Increasing, Though Challenges Persist.

CNBC (6/17, Frangoul) reports “the United States is now home to over 100 gigawatts of solar photovoltaic capacity, according to a new report, although rising costs could pose challenges to the sector.” The report, from the Solar Energy Industries Association and Wood Mackenzie, “found that

America's solar industry installed slightly more than 5 GW of photovoltaic capacity in the first three months of 2021." That represents "a record for the first quarter and is 46% higher than the same period in 2020." But the "sector faces some potential headwinds going forward." The report states, "Over the last several quarters, critical components for solar equipment – polysilicon, steel, aluminum, semiconductor chips, copper and other metals – have become increasingly supply-constrained."

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Enforcement

Four Companies Pay Penalties For “Defeating” Engine Emission Control.

Bloomberg BNA (6/17, Hijazi) reports, "Four vehicle parts manufacturers will settle" with the EPA for a combined total of \$282,926 in penalties "for selling devices that allow cars to slip through emissions control systems mandated through the Clean Air Act." The companies "illegally manufactured and distributed 'defeat devices'...to bypass and disable emission control mechanisms mean to mitigate nitrous oxide and particulate matter, the EPA said in an announcement Thursday."

Phoenix Petroleum Penalized For Clean Water Violations In North Dakota.

The AP (6/17) reports Colorado-based Phoenix Petroleum LLC has agreed to pay a \$50,000 penalty for alleged Clean Water Act violations in North Dakota. The EPA found during 2015 inspections that "two...tank batteries in Divide and Williams counties" had "inadequate spill prevention plans and containment measures." As a result, "discharges from the facilities have the potential to impact White Earth Creek, a tributary to the White Earth River in western North Dakota."

Citgo Agrees To Pay \$19.7 Million For 2006 Louisiana Refinery Spill.

The AP (6/17) reports Citgo Petroleum Corp. "has agreed to pay \$19.7 million for environmental damage from a 2006 spill at a Louisiana refinery, the U.S. Department of Justice said Thursday." The agreement "settles both state and federal environmental claims from the 2.2-million-gallon (8.3- million-liter) spill at the Lake Charles refinery's wastewater treatment facility, a news release said." Federal and state trustees "will work together on restoration projects using nearly \$19.2 million, the statement said."

Newsweek (6/17, Hutzler) also reports.

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HQ Amplification

EPA Female Officials Retiring.

Bloomberg BNA (6/17) reports, "Two of the EPA's most prominent female officials are retiring on July 31, according to a Thursday internal email reviewed by Bloomberg Law." EPA Science Adviser and Principal Deputy Assistant Administrator for Research and Development Jennifer Orme-Zavaleta and Principal Deputy Assistant Administrator for Mission Support Donna Vizian will be replaced by Wayne Cascio and Lynnann Hitchens, respectively.

E&E News PM (6/17, Bogardus) also reports.

Trump-Era EPA Official Wildeman Joins Law Firm.

Bloomberg BNA (6/17, Lee) reports Trump-era EPA Principal Deputy Assistant Administrator of the Water Office Anna Wildeman "joined Troutman Pepper Hamilton Sanders LLP, according to the law firm." Wildeman will handle "the Clean Water Act, the Biden administration's pending rewrite of the waters of the U.S., and the section 401 water quality certification rule" at the firm.

E&E News PM (6/17, Northey) also reports.

New Clean Air Committee Members Appointed.

Bloomberg BNA (6/17, Dlouhy) reports, "The EPA announced seven new members of the Clean Air Scientific Advisory Committee, including four who had served on the panel previously. Two of those returning members – Georgia environmental official James Boylan and physician Mark Frampton with the University of Rochester Medical Center – were previously appointed under former President Trump."

AP (6/17, Daly), **The Hill** (6/17, Frazin), and **Greenwire** (6/17, Reilly) also reports.

Republicans Grill Nominees On Transparency.

E&E Daily (6/17, Bogardus) reports, "Republican senators pushed a pair of President Biden's EPA nominees for more details and greater transparency on the administration's climate and environmental plans while Democrats highlighted their own priorities."

McCabe Talks About Coming Environmental Justice Office.

Inside EPA (6/17) reports, "EPA Deputy Administrator Janet McCabe is touting EPA's plan to elevate environmental justice (EJ) by creating a new stand-alone EJ office, to be led by a Senate-confirmed official, with greater authority than the current program within the administrator's office, as officials embark on a stepped-up push to boost staff and funding for such efforts. 'For too long we have known that environmental burdens . . . are not borne equitably in this country,' McCabe said June 15."

Martin Joins White House Environmental Justice Council.

Bloomberg BNA (6/17, Scott) reports, Karen Martin "is leaving as EPA's coordinator to the National Environmental Justice Advisory Council" for "a new role in President Joe Biden's new White House environmental justice council." Martin "has been informally working to coordinate both councils for the last several months but will now focus full time on the White House council."

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Rules/Regulations/Policy

Chemtool Explosion Spurs Calls For Stricter RMP.

Inside EPA (6/17) reports, "This week's explosion and fire at an Illinois chemical plant is bolstering environmentalists' calls for EPA to strengthen the Trump administration's facility safety risk management plan (RMP) regulation, though a top agency official is also signaling that he plans to ensure the rule provides the "maximum protection possible." According to press reports , a June 14 explosion at the Chemtool Inc. plant in Rockton, IL, caused a massive fire that was not contained until June 16."

Conservatives Criticize Long-Term Rule Actions.

Inside EPA (6/17) reports, "Trump administration alumni and other conservatives say EPA's decision to move key rules to "long-term" actions in the Biden administration's first unified agenda creates policy uncertainty though they also say they are not surprised given that many of the delayed items present complex and time-consuming legal questions that are likely to face litigation. The unified agenda is "ambitious . . . when you look at the proposed timeline for actions," Brittany Bolen, who served as EPA policy chief...said."

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Toxics

New Mexico Suffers Setback In Effort To Transfer PFAS Case To Federal Court.

Inside EPA (6/17) reports, "A federal appeals court has dealt a blow to New Mexico's efforts to pursue hazardous waste litigation against the Air Force over per- and polyfluoroalkyl substances (PFAS) contamination, denying the state's attempt to remove the case from a massive multi-district litigation (MDL) case and transfer it back to a federal trial court."

Bergeson Urges EPA To Forewarn Industry About TSCA Deadlines.

Inside EPA (6/17) reports, "A prominent industry attorney is urging EPA to warn industry of how it plans to rework deadlines in TSCA rules governing persistent, bioaccumulative and toxic (PBT) chemicals 'well before' its partial enforcement waiver expires on Sept. 4, arguing that companies will need time to factor any new requirements or timelines into global supply chains. 'We hope we will get some meaningful insight . . . well before the September 4th deadline,' Lynn Bergeson said of EPA's announced plan."

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Wastes and Hazardous Wastes

UPS, Former Subsidiary To Pay \$3.8M Over Hazardous Waste Handling.

The Atlanta Journal-Constitution (6/17, Yamanouchi) reports UPS and its former freight unit TForce Freight “face a \$3.8 million penalty in a settlement with the U.S. Environmental Protection Agency over hazardous waste violations.” The EPA “learned of potential violations from the Arkansas Department of Energy and Environment, which in 2019 inspected a UPS facility in Fort Smith, Arkansas.”

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Water

Court Says EPA Pebble Bay Decision Subject To Review.

Bloomberg BNA (6/17) reports, “The U.S. Environmental Protection Agency’s about-face in 2019 to not limit miners from operating in part of the Bristol Bay watershed in Alaska is subject to judicial review under the agency’s regulations, the Ninth Circuit said Thursday in a partial win for a conservation group. The Clean Water Act doesn’t have a meaningful legal standard ‘in its broad grant of discretion to the EPA,’ but the agency’s regulations do, according to the U.S. Court of Appeals for the Ninth Circuit.”

Reuters (6/18, Malo), E&E News PM (6/17, Marshall, Northey), and Inside EPA (6/17) also report.

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ESG

Delta Air Lines Shareholders Approve Measure Requiring Company To Report Climate Lobbying Activities.

The Atlanta Journal-Constitution (6/17, Yamanouchi) reports Delta Air Lines shareholders “voted Thursday morning in favor of a measure to require the company to report its climate lobbying activities, a move the company’s board of directors was against.” The shareholder proposal that was “approved will require the board to issue a report within the next year describing how Atlanta-based Delta’s lobbying activities align with the Paris climate agreement’s goal to limit average global warming to ‘well below 2 degrees Celsius,’ and how the company plans to mitigate associated risks.” Delta’s board “opposed the measure, saying the company has been transparent about its lobbying efforts and environmental policies that are ‘aligned with responsible climate action.’” The airline “announced last year a plan to invest \$1 billion toward carbon neutrality over 10 years.”

Also reporting is Reuters (6/17).

Amazon's Climate Pledge Friendly Products Highlighted.

NBC News (6/17, Pardilla) shares a list of "the most highly rated products from each" of the 18 certifications that are including in Amazon's Climate Pledge Friendly endeavor, "along with highly rated products boasting those certifications." The pledge "is a commitment to becoming 'net zero carbon' by 2040" and counts "more than 75,000 Climate Pledge Friendly-labeled products." Amazon does not "charge a fee for products to participate in the Climate Pledge Friendly program" and "signing up entails three commitments: regular reporting of greenhouse gas emissions, carbon elimination (including using renewable energy), and offsetting any remaining emissions."

Perpetua Planning Sustainable Mining Process To Harvest US Antimony Supply.

Mining Journal (UK) (6/17) reports on the innovative mining approach of Perpetua Resources, formerly Midas Gold, which has developed a "unique and potentially game-changing plan for environmental restoration at the abandoned Stibnite gold mining district in Idaho, USA, while simultaneously kick starting much needed antimony supply in North America." Forbes magazine "calls antimony, 'the most important mineral you never heard of'." But the US government has dubbed it one of 35 minerals "deemed critical by the Department of the Interior." Perpetua "plans to be the only domestic supplier of the mineral – averaging about 35% of US demand over the first six years of production."

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Limetree Bay Refinery

EPA Tells Limetree Bay To Install Air Monitors.

Reuters (6/17, Sanicola) reports the EPA "is requiring that Limetree Bay refinery install 18 air monitors in St. Croix after ordering the plant to halt operations last month, the agency said on Thursday." The refinery "must develop a plan within 15 days to install nine hydrogen sulfide and nine sulfur dioxide monitors." When the refinery resumed operating earlier this year, "it was not operating monitors for criteria pollutants and said it was not under legal obligation to do so."

Bloomberg BNA (6/17, Hijazi), E&E News PM (6/17, Reilly), Virgin Islands Daily News (6/18, Carlson), Hydrocarbon Processing (6/17), and Environmental Protection Agency (6/17) also report.

Expert Discusses Lessons From Limetree Bay.

Chemical Engineer (6/17, Jasi) reports "process expert" Paul Kenny talked about the lessons that can be learned from the situation at Limetree Bay. Kenny said, "Process safety is more than just life preservation, it's about making sure that we look after the communities that surround us as well."

Crucian Public To Be Survey On Limetree Bay Impact.

The **St. Thomas Source** (6/17, Ellis) reports a survey “to evaluate and tabulate the environmental and health impacts of accidental releases” from Limetree Bay refinery will be taken over the weekend by volunteers “at the entrances to supermarkets and farmers’ markets,” as well as online. Bennington College Professor David Bond is participating in the effort and the anonymous results of the survey will be stored on the Bennington College computer system. Bond said, “This survey is a response to the overwhelming public outcry for better information about the impacts of the ongoing operational failures at the Limetree Refinery.”

Virgin Islands Daily News (6/18, Carlson) also reports.

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Southside Recycling

Mayor Lightfoot Declares Systemic Racism Public Health Crisis.

The **Chicago Tribune** (6/17, Pratt) reports Chicago Mayor Lori Lightfoot “followed the lead of several other cities around the country” Thursday and “declared systemic racism a public health crisis.” Lightfoot’s administration “faces significant criticism over issues of race and equity.” She “delayed a decision about issuing a permit for a scrap shredding operation to move from the edges of Lincoln Park to the predominantly Latino and Black 10th Ward, but has faced criticism for not stopping the plan.” Environmental Protection Agency administrator Michael Regan also “raised concerns about locating another polluter in a heavily industrialized neighborhood where people already breathe some of the city’s dirtiest air.”

The **Finger Lakes (NY) Times** (6/17, Pratt), **ArcaMax** (6/17), and **GM Today (WI)** (6/17, Osorio) also report.

General Iron Owner Says It Is Financially Vulnerable.

The **Chicago Sun-Times** (6/17, Chase) reports Reserve Management Group, owner of General Iron, said in a court Filing Thursday that “it could have stayed in Lincoln Park,” and “continued operating...while Mayor Lori Lightfoot’s Administration responded to a federal civil rights investigation that launched last fall,” but the “city encouraged it to move to the Southeast Side.” The company “spent \$80 million to build a new facility and, unless it can begin operation, the company is financially vulnerable, the filing said.”

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